

REMARKS

Claims 1-45 are pending in this application.

In the outstanding Official Action mailed July 8, 2008, the examiner has rejected claims 1-3, 18, 20, 33-35 and 45 under 35 USC 102(e) as anticipated by the Goschy et al (USP 6545661), rejected claims 4-7, 17, 21-23,32 and 36-39 under 35 USC 103(a) as unpatentable over Goschy et al in view of Woolston (US6902482), rejected claims 8, 9, 24, 25 and 40-42 under 35 USC 103(a) as unpatentable over Goschy et al in view of Rothchild (US2002/0171625), and rejected claims 10-16, 19, 26-31and 43 under 35 USC 103(a) as unpatentable over Goschy et al in view of “VR Gun System Specifications”.

Examiner Ross Williams and Supervisor Primary Examiner John Hotaling are thanked for the courtesy of a personal interview on October 27, 2008 during which applicant and his undersigned attorney presented to the examiners a live demonstration of the operation of a video game controller constructed in accordance with the claimed arrangement. Arguments were also presented to the examiners concerning the differences between the cited prior art and the invention as currently claimed. The noted differences from the prior art centered on applicants claim language relating to how the user of the controller controls the display of a point of view.

After the demonstration, and again looking at the claims, Examiner Hotaling immediately understood that the cited Goschy reference, being a “light gun” controller, is not at all related to a controller for controlling point of view of a display, let alone control of the point of view of a display in a manner as recited in each of applicants independent claims.

Examiner’s Williams and Hotaling both agreed that the claims were allowable over the references of record, and in fact, Examiner Hotaling said that in all his years examining this art area, he has never seen anything like applicants claimed invention.

However, both examiners still expressed some uneasiness/confusion concerning the claim phrase “user in the video game environment”. Applicant’s attorney suggested that perhaps it

would be appropriate to amend the claims to use a term which, although known when this application was submitted in 2003, has become more popular since then, such as the term “avatar”. Both examiners expressed a belief that such a term would help clarify the claim language and suggested that applicant submit a reply which included such an amendment.

According, applicant’s claims 1, 4-6, 18, 19, 21-23, 33, 36, 37 and 39 are amended hereby to use the word “avatar” in place of user, where appropriate.

In view of the fact that Goschy is the primary reference in all of the outstanding rejections of the claims, which reference is now agreed by the Examiners to not impede the allowability of the claims, applicant submits that all of the outstanding rejections are now overcome. Furthermore, in view of the amendment of the claims to use the term “avatar” it is submitted that any perceived confusion of the claims has also been overcome. According, applicant requests reconsideration and a notice of allowability of claims 1-45.

If any issues remain, Examiner Williams is asked to contact the attorney noted below.

Respectfully submitted,

/Lawrence C. Edelman/

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